

DD/A 76-5453


2 OCT 1976

MEMORANDUM FOR: Deputy Director for Administration

SUBJECT : Application of October 1976 Pay Raise to Executive
Pay Level Employees

Following your question of yesterday, I called Mr. David Sitrin, Associate Director for National Security and International Affairs at OMB. Mr. Sitrin checked with George Strauss who is OMB's expert on Pay Act and personnel matters generally. He told me that the October 1976 Pay Act prohibits an increase of salary for Executive Pay level employees whose level is explicitly set forth in statute. He said, however, that if the legislation establishing an Executive Pay position states that the incumbent of the position will be paid "at the rate of or the same as" a specific Executive level position, the provision in the October Pay Act prohibiting additional compensation does not apply. Since, as I understand it, only two CIA positions are explicitly created in statute, it would appear that we can extend the October pay raise to our "nonstatutory" Executive Pay level employees.

STATINTL


James H. Taylor
Comptroller